



Atty. Dkt. No. 073406-0302

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Jerry Pelletier, et al.

Title: DNA SEQUENCES FROM  
STAPHYLOCOCCUS AUREUS  
BACTERIOPHAGE 44AHJD  
THAT ENCODE ANTI-  
MICROBIAL POLYPEPTIDES

Appl. No.: 09/727,892

Filing Date: 11/30/2000

Examiner: V. Portner

Art Unit: 1645

**CERTIFICATE OF MAILING**  
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on the date below.

Deborah Wykes  
(Printed Name)

Deborah Wykes  
(Signature)

May 6, 2003  
(Date of Deposit)

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**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

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**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(c), before the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.113, or an action that otherwise closes prosecution in the application.

**RELEVANCE OF EACH DOCUMENT**

All of the documents are in English.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

**FEE**

A fee in connection with submission of an information disclosure statement under 37 CFR §1.97(c) in the amount of \$180.00 in accordance with 37 CFR §1.17(p) is attached.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

Date 6 May 2003

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